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Email: mbaute@bautelaw.com

Attorneys for Defendant GUESS?, Inc.

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

CHROME HEARTS LLC,

Plaintiff,

v.

GUESS?, INC.,

Defendant.

Index Number: 07 CV 4812 (AKH)

Judge: Honorable Alvin K. Hellerstein

**NOTICE OF MOTION FOR
ADMISSION PRO HAC VICE**

GUESS?, INC., (hereafter, "GUESS?" or "Defendant") through its attorneys, hereby apply to this Court for an Order pursuant to Local Rule 1.3(c) admitting Mark D. Baute *pro hac* vice for all purposes in this matter. In support of its application, Defendant relies upon the Affidavit of Douglas F. Broder, sworn to on August 16, 2007 ("Broder Affidavit") attached hereto, the Declaration of Mark D. Baute dated August 15, 2007, attached as Exhibit A to the Broder

FILED
U.S. DISTRICT COURT
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Affidavit, and the Certificate of Good Standing of Mark D. Baute is attached as Exhibit B to the Broder Affidavit.

August 16, 2007

KIRKPATRICK & LOCKHART PRESTON
GATES ELLIS LLP



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Attorneys for Defendant, Guess?, Inc.

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**AFFIDAVIT OF DOUGLAS F. BRODER IN
SUPPORT OF *PRO HAC VICE*
ADMISSION FOR MARK D BAUTE**

STATE OF NEW YORK)

COUNTY OF NEW YORK)

Douglas F. Broder, being duly sworn, deposes and says:

1. I am an attorney duly admitted to practice before the courts of this State and I am a partner of the law firm of Kirkpatrick & Lockhart Preston Ellis Gates LLP, counsel for defendant GUESS?, Inc. ("GUESS?" or "Defendant") in this action.

2. I respectfully submit this affidavit in support of the motion to admit my colleague Mark D. Baute of Baute & Tidus LLP, 777 South Figueroa Street, Suite 4900, Los Angeles, California 90017, *pro hac vice*.

3. Defendant requests that Mark D. Baute appear on their behalf in this action. Mr. Baute is familiar with Defendant and the facts at issue in the above-captioned matter and is a member in good standing of the Bar of the State of California.

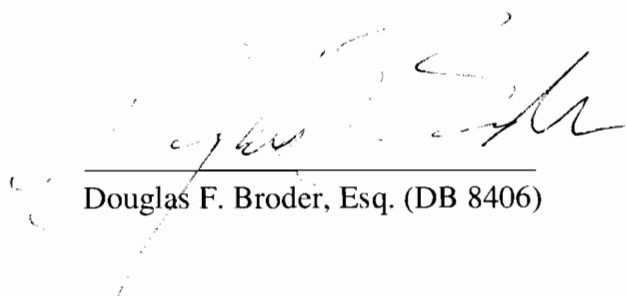
4. I attach hereto as Exhibit A the declaration of Mark D. Baute, executed on August 15, 2007.

5. I attach hereto as Exhibit B a copy of the Certificate of Good Standing issued to Mr. Baute on August 16, 2007.

WHEREFORE it is respectfully requested that the motion to admit Mark D. Baute *pro hac vice* be granted.

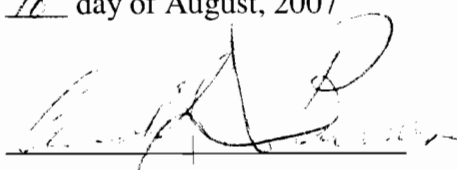
Dated: New York, New York

August 16, 2007



Douglas F. Broder, Esq. (DB 8406)

Sworn to before me this
16 day of August, 2007



ARNOLD J. BURRUS
Notary Public, State of New York
No. 41-4720413
Qualified in Queens County
Certificate Filed in New York County
Commission Expires March 30, 2010

Douglas F. Broder (DB 8406)
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**DECLARATION OF MARK D. BAUTE IN
SUPPORT OF APPLICATION FOR PRO
HAC VICE ADMISSION**

MARK D. BAUTE declares

1. I am a partner with the law firm of Baute & Tidus LLP, attorneys for the defendant GUESS?, Inc. ("GUESS?" or "Defendant") in the above-captioned matter. I submit this declaration in support of my application for admission *pro hac vice*.

2. I graduated from the University of California, Los Angeles, School of Law in 1986. I was admitted to the Bar of the State of California in 1987. I have remained in good standing since the date of my admission.

3. I have never been held in contempt by any court in any jurisdiction.

4. I have never been censured, suspended or disbarred by any court in any jurisdiction.

5. I have read and am familiar with (a) the provisions of the Judicial Code (Title 28, U.S.C.) which pertain to the jurisdiction of, and practice in, the United States District Courts; (b) the Federal Rules of Civil Procedure; (c) the Federal Rules of Criminal Procedure; (d) the Federal Rules of Evidence; (e) the Local Rules of the United States District Court for the Southern and Eastern Districts of New York; and (f) the New York State Lawyer's Code of Professional Responsibility as adopted from time to time by the Appellate Divisions of the State of New York.

6. I will faithfully adhere to all rules applicable to my conduct in connection with any activities in this court.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August 15, 2007

A handwritten signature in black ink, appearing to read 'Mark D. Baute', written over a horizontal line.

Mark D. Baute



THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

August 16, 2007

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, MARK DOUGLAS BAUTE #127329 was admitted to the practice of law in this state by the Supreme Court of California on February 12, 1987; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; that the public record states that information has been provided pursuant to Business and Professions Code section 6086.1(c); and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in cursive script, appearing to read "Kath Lambert".

Kath Lambert
Custodian of Membership Records

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Rebecca L. Misner (DB 8086)
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**ORDER GRANTING PRO HAC VICE
ADMISSION OF MARK D. BAUTE**

Upon consideration of the defendant's motion for the *pro hac vice* admission of Mark D. Baute, Esq. dated August 16, 2007, the Declaration of Mark D. Baute, dated August 15, 2007, and the Certificate of Good Standing issued to Mr. Baute on February 23, 2007, and good cause having been shown, it is hereby:

ORDERED, that Mark D. Baute be, and hereby is, granted *pro hac vice* admission pursuant to Local Rule 1.3 (c) for all purposes in this action.

Dated: _____, 2007

United States District Judge

Douglas F. Broder (DB 8406)
Rebecca L. Misner (DB 8086)
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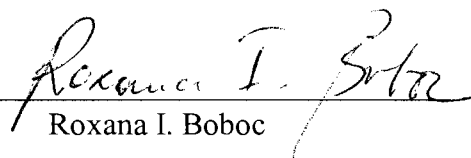
AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.
COUNTY OF NEW YORK)

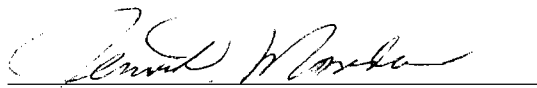
ROXANA I. BOBOC, being duly sworn, deposes and says:

1. I am not a party to this action and I am over 18 years of age.
2. On August 17, 2007, I caused to be served by First Class Mail true and correct copies of the Notice of Motion for Admission *Pro Hac Vice*, Affidavit of Douglas F. Broder in Support of *Pro Hac Vice* Admission for Mark D. Baute with Exhibits thereto, and a Proposed Order Granting *Pro Hac Vice* Admission of Mark D. Baute upon:

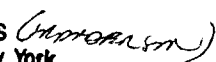
Robert L. Tucker, Esquire
Tucker & Latifi, LLP
160 East 84th Street
New York, NY 10028
Tel. 212-472-6262
Fax: 212-744-6509


Roxana I. Boboc

Sworn to before me this
17th day of August 2007



Notary Public

JEANNETTE F. FRANCIS 
Notary Public, State of New York
No. 24-4949726
Qualified in Kings County
Certificate filed in New York County
Commission Expires April 17, 2011